

House Study Bill 310

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON OLDSO)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to and making appropriations from the healthy  
2 Iowans tobacco trust and the tobacco settlement trust fund and  
3 providing an effective date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1137YC 82  
6 pf/gg/14

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1 1 Section 1. HEALTHY IOWANS TOBACCO TRUST == APPROPRIATIONS  
1 2 TO DEPARTMENTS. There is appropriated from the healthy Iowans  
1 3 tobacco trust created in section 12.65 to the following  
1 4 departments for the fiscal year beginning July 1, 2007, and  
1 5 ending June 30, 2008, the following amounts, or so much  
1 6 thereof as is necessary, to be used for the purposes  
1 7 designated:  
1 8 1. To the department of human services:  
1 9 a. To supplement the medical assistance program  
1 10 appropriations for the fiscal year, including for  
1 11 reimbursement of noninstitutional medical assistance providers  
1 12 with the exception of anesthesia and dental providers and to  
1 13 continue the resource-based relative value system of  
1 14 reimbursement based upon the reimbursement rates established  
1 15 for the fiscal year beginning July 1, 2007, and ending June  
1 16 30, 2008; for reimbursement of dental services, hospitals,  
1 17 home health care services, critical access hospitals,  
1 18 expansion of home health care services and habilitative day  
1 19 care for children with special needs, and expansion of respite  
1 20 care services provided through home and community-based  
1 21 waivers based upon the reimbursement rates established for the  
1 22 fiscal year beginning July 1, 2007, and ending June 30, 2008;  
1 23 and for provision of coverage to women who require treatment  
1 24 for breast or cervical cancer as provided in section 249A.3,  
1 25 subsection 2, paragraph "b":  
1 26 ..... \$ 35,327,368  
1 27 Of the amount appropriated in this paragraph, \$250,000  
1 28 shall be used to continue the efforts of the Iowa chronic care  
1 29 consortium pursuant to 2003 Iowa Acts, chapter 112, section  
1 30 12, as amended by 2003 Iowa Acts, chapter 179, sections 166  
1 31 and 167.  
1 32 b. For child and family services including for  
1 33 reimbursement of adoption, independent living, shelter care,  
1 34 and home studies services providers, and other service  
1 35 providers under the purview of the department of human  
2 1 services:  
2 2 ..... \$ 3,761,677  
2 3 c. To continue supplementation of the state supplementary  
2 4 assistance program including reimbursements for residential  
2 5 care facilities and in-home health services:  
2 6 ..... \$ 182,381  
2 7 d. For general administration of health-related programs:  
2 8 ..... \$ 274,000  
2 9 2. To the Iowa department of public health:  
2 10 a. For the tobacco use prevention and control initiative,  
2 11 including efforts at the state and local levels, as provided  
2 12 in chapter 142A and for not more than the following full-time  
2 13 equivalent positions:  
2 14 ..... \$ 5,928,465  
2 15 ..... FTEs 7.00  
2 16 (1) The director of public health shall dedicate  
2 17 sufficient resources to promote and ensure retailer compliance

2 18 with tobacco laws and ordinances relating to persons under 18  
 2 19 years of age, and shall prioritize the state's compliance in  
 2 20 the allocation of available funds to comply with 42 U.S.C. }  
 2 21 300x=26 and section 453A.2.  
 2 22 (2) Of the full-time equivalent positions funded in this  
 2 23 paragraph "a", two full-time equivalent positions shall be  
 2 24 utilized to provide for enforcement of tobacco laws,  
 2 25 regulations, and ordinances under a chapter 28D agreement  
 2 26 entered into between the Iowa department of public health and  
 2 27 the alcoholic beverages division of the department of  
 2 28 commerce.  
 2 29 (3) Of the funds appropriated in this paragraph "a", not  
 2 30 more than \$525,759 shall be expended on administration and  
 2 31 management of the program.  
 2 32 (4) Of the funds appropriated in this paragraph "a", not  
 2 33 less than 80 percent of the amount expended in the fiscal year  
 2 34 beginning July 1, 2001, for community partnerships shall be  
 2 35 expended in the fiscal year beginning July 1, 2007, for that  
 3 1 purpose.  
 3 2 b. For additional substance abuse treatment under the  
 3 3 substance abuse treatment program:  
 3 4 ..... \$ 13,800,000  
 3 5 (1) The department shall use funds appropriated in this  
 3 6 paragraph "b" to enhance the quality of and to expand the  
 3 7 capacity to provide 24-hour substance abuse treatment  
 3 8 programs.  
 3 9 (2) The department shall use funds appropriated in this  
 3 10 paragraph "b" to expand the length of individual client  
 3 11 substance abuse treatment plans, as necessary to reduce  
 3 12 program recidivism.  
 3 13 (3) The department shall use funds appropriated in this  
 3 14 paragraph "b" to share research-based best practices for  
 3 15 treatment with substance abuse treatment facilities.  
 3 16 (4) The department shall use funds appropriated in this  
 3 17 paragraph "b" to develop a results-based funding approach for  
 3 18 substance abuse treatment services.  
 3 19 (5) The department shall use funds appropriated in this  
 3 20 paragraph "b" to develop a program to encourage individuals  
 3 21 who are successfully managing their substance abuse problems  
 3 22 to serve as role models.  
 3 23 (6) The department shall submit a report annually by March  
 3 24 1, to the governor and the general assembly delineating the  
 3 25 success rates of the substance abuse treatment programs that  
 3 26 receive funding under this paragraph "b".  
 3 27 c. For the healthy Iowans 2010 plan within the Iowa  
 3 28 department of public health and for not more than the  
 3 29 following full-time equivalent positions:  
 3 30 ..... \$ 2,509,960  
 3 31 ..... FTEs 4.00  
 3 32 (1) Of the funds appropriated in this paragraph "c", not  
 3 33 more than \$1,157,482 shall be used for essential public health  
 3 34 services that promote healthy aging throughout the lifespan,  
 3 35 contracted through a formula for local boards of health, to  
 4 1 enhance health promotion and disease prevention services.  
 4 2 (2) Of the funds appropriated in this paragraph "c", not  
 4 3 more than \$387,320 shall be used for the continuation and  
 4 4 support of a coordinated system of delivery of trauma and  
 4 5 emergency medical services.  
 4 6 (3) Of the funds appropriated in this paragraph "c", not  
 4 7 more than \$600,000 shall be used for the state poison control  
 4 8 center.  
 4 9 (4) Of the funds appropriated in this paragraph "c", not  
 4 10 more than \$288,770 shall be used for the development of  
 4 11 scientific and medical expertise in environmental  
 4 12 epidemiology.  
 4 13 (5) Of the funds appropriated in this paragraph "c", not  
 4 14 more than \$76,388 shall be used for the childhood lead  
 4 15 poisoning prevention program.  
 4 16 d. For the automated external defibrillator grant program  
 4 17 established pursuant to section 135.26:  
 4 18 ..... \$ 40,000  
 4 19 e. For the center for congenital and inherited disorders  
 4 20 established pursuant to section 136A.3:  
 4 21 ..... \$ 26,000  
 4 22 f. For a grant program to provide substance abuse  
 4 23 prevention programming for children:  
 4 24 ..... \$ 1,050,000  
 4 25 (1) Of the funds appropriated in this paragraph "f",  
 4 26 \$500,000 shall be utilized to provide funding for  
 4 27 organizations that provide programming for children by  
 4 28 utilizing mentors. Of the amount specified in this

4 29 subparagraph (1), \$25,000 shall be utilized to provide grants  
4 30 to small community-based organizations that meet the  
4 31 requirements of this subparagraph (1). Programs approved for  
4 32 grants under this subparagraph (1) shall be certified or will  
4 33 be certified within six months of receiving the grant award by  
4 34 the Iowa commission on volunteer services as utilizing the  
4 35 standards for effective practice for mentoring programs.

5 1 (2) Of the funds appropriated in this paragraph "f",  
5 2 \$500,000 shall be utilized to provide funding for  
5 3 organizations that provide programming that includes youth  
5 4 development and leadership. Of the amount specified in this  
5 5 subparagraph (2), \$25,000 shall be utilized to provide grants  
5 6 to small community-based organizations that meet the  
5 7 requirements of this subparagraph (2). The programs shall  
5 8 also be recognized as being programs that are scientifically  
5 9 based with evidence of their effectiveness in reducing  
5 10 substance abuse in children.

5 11 (3) The Iowa department of public health shall utilize a  
5 12 request for proposals process to implement the program under  
5 13 this paragraph "f".

5 14 (4) All grant recipients under this paragraph "f" shall  
5 15 participate in a program evaluation as a requirement for  
5 16 receiving grant funds.

5 17 (5) Of the funds appropriated in this paragraph "f",  
5 18 \$50,000 shall be used to administer substance abuse prevention  
5 19 grants and for program evaluations.

5 20 g. For providing grants to individual patients who have  
5 21 phenylketonuria (PKU) to assist with the costs of necessary  
5 22 special foods:  
5 23 ..... \$ 100,000

5 24 h. For additional funding to leverage federal funding  
5 25 through the federal Ryan White Care Act, Title II, AIDS drug  
5 26 assistance program supplemental drug treatment grants:  
5 27 ..... \$ 275,000

5 28 i. For a grant to an existing national-affiliated  
5 29 organization to provide education, client-centered programs,  
5 30 and client and family support for people living with epilepsy  
5 31 and their families:  
5 32 ..... \$ 100,000

5 33 3. To the department of corrections:  
5 34 ..... \$ 4,006,474

5 35 a. Of the funds appropriated in this subsection, \$228,216  
6 1 is allocated to the first judicial district department of  
6 2 correctional services. Of the funds allocated, \$100,000 shall  
6 3 be used for community-based corrections, and \$128,216 shall be  
6 4 used to replace expired federal funding for dual diagnosis  
6 5 offenders.

6 6 b. Of the funds appropriated in this subsection, \$406,217  
6 7 is allocated to the second judicial district department of  
6 8 correctional services. Of the funds allocated, \$100,000 shall  
6 9 be used for community-based corrections and \$306,217 shall be  
6 10 used to replace expired federal funding for day programming  
6 11 and to replace expired federal funding for the drug court  
6 12 program with \$50,000 of this amount being used for substance  
6 13 abuse treatment.

6 14 c. Of the funds appropriated in this subsection, \$200,359  
6 15 is allocated to the third judicial district department of  
6 16 correctional services. Of the funds allocated, \$100,000 shall  
6 17 be used for community-based corrections, and \$100,359 shall be  
6 18 used to replace expired federal funding for the drug court  
6 19 program.

6 20 d. Of the funds appropriated in this subsection, \$291,731  
6 21 is allocated to the fourth judicial district department of  
6 22 correctional services. Of the funds allocated, \$100,000 shall  
6 23 be used for community-based corrections, and \$191,731 shall be  
6 24 used for the drug court program.

6 25 e. Of the funds appropriated in this subsection, \$355,693  
6 26 is allocated to the fifth judicial district department of  
6 27 correctional services. Of the funds allocated, \$100,000 shall  
6 28 be used for community-based corrections, and \$255,693 shall be  
6 29 used to replace expired federal funding for the drug court  
6 30 program.

6 31 f. Of the funds appropriated in this subsection, \$494,741  
6 32 is allocated to the sixth judicial district department of  
6 33 correctional services. Of the funds allocated, \$100,000 shall  
6 34 be used for community-based corrections, \$64,741 shall be used  
6 35 to replace expired federal funding for dual diagnosis  
7 1 offenders, and \$330,000 shall be used to establish drug court  
7 2 programs in Johnson and Linn counties.

7 3 g. Of the funds appropriated in this subsection, \$232,232  
7 4 is allocated to the seventh judicial district department of

7 5 correctional services. Of the funds allocated, \$100,000 shall  
7 6 be used for community-based corrections, and \$132,232 shall be  
7 7 used to replace expired federal funding for the drug court  
7 8 program.

7 9 h. Of the funds appropriated in this subsection, \$300,000  
7 10 is allocated to the eighth judicial district department of  
7 11 correctional services. Of the funds allocated, \$100,000 shall  
7 12 be used for community-based corrections, and \$200,000 shall be  
7 13 used to implement an adult drug court program.

7 14 i. Of the funds appropriated in this subsection,  
7 15 \$1,497,285 is allocated to the Fort Madison correctional  
7 16 facility for the clinical care unit.

7 17 Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS ==  
7 18 REIMBURSEMENT INCREASE. There is appropriated from the  
7 19 healthy Iowans tobacco trust created in section 12.65 to the  
7 20 property tax relief fund created in section 426B.1 for the  
7 21 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
7 22 the following amount, or so much thereof as is necessary, to  
7 23 be used for the purposes designated:

7 24 For assistance to the counties with limited county mental  
7 25 health, mental retardation, and developmental disabilities  
7 26 services fund balances which were selected in accordance with  
7 27 2000 Iowa Acts, chapter 1221, section 3, to receive such  
7 28 assistance in the same amount provided during the fiscal year  
7 29 beginning July 1, 2000, and ending June 30, 2001, to pay  
7 30 reimbursement increases in accordance with 2000 Iowa Acts,  
7 31 chapter 1221, section 3:

7 32 ..... \$ 146,750

7 33 Sec. 3. IOWA EMPOWERMENT FUND. There is appropriated from  
7 34 the healthy Iowans tobacco trust created in section 12.65, to  
7 35 the Iowa empowerment fund created in section 28.9 for the  
8 1 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
8 2 for deposit in the school ready children grants account:

8 3 ..... \$ 2,153,250

8 4 Sec. 4. IOWA COMMISSION ON VOLUNTEER SERVICES. There is  
8 5 appropriated from the healthy Iowans tobacco trust created in  
8 6 section 12.65 to the department of economic development for  
8 7 the fiscal year beginning July 1, 2007, and ending June 30,  
8 8 2008, the following amount, or so much thereof as is  
8 9 necessary, to be used for the purpose designated:

8 10 For allocation to the Iowa commission on volunteer services  
8 11 for the Iowa's promise and mentoring partnership program and  
8 12 for not more than the following full-time equivalent  
8 13 positions:

8 14 ..... \$ 125,000

8 15 ..... FTEs 1.00

8 16 Sec. 5. DEPARTMENT OF EDUCATION. There is appropriated  
8 17 from the healthy Iowans tobacco trust created in section  
8 18 12.65, to the department of education for the fiscal year  
8 19 beginning July 1, 2007, and ending June 30, 2008, the  
8 20 following amount, or so much thereof as is necessary, to be  
8 21 used for the purpose designated:

8 22 To continue the competitive grants program to expand the  
8 23 availability of before and after school programs as provided  
8 24 in section 256.26, if enacted by the Eighty-second General  
8 25 Assembly, 2007 Session:

8 26 ..... \$ 305,000

8 27 Sec. 6. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT == TRANSFER.

8 28 In addition to the amount transferred pursuant to section  
8 29 12E.12, subsection 1, paragraph "b", subparagraph (2),  
8 30 subparagraph subdivision (b), \$9,100,000 is transferred from  
8 31 the endowment for Iowa's health account of the tobacco  
8 32 settlement trust fund created in section 12E.12 to the healthy  
8 33 Iowans tobacco trust created in section 12.65 for the fiscal  
8 34 year beginning July 1, 2007, and ending June 30, 2008.

8 35 Sec. 7. 2006 Iowa Acts, chapter 1181, section 1,  
9 1 subsection 2, paragraph e, is amended to read as follows:

9 2 e. For the automated external defibrillator grant program  
9 3 established pursuant to section 135.26:

9 4 ..... \$ 350,000

9 5 Notwithstanding section 8.33, moneys appropriated in this  
9 6 paragraph "e" that remain unencumbered or unobligated at the  
9 7 close of the fiscal year shall not revert but shall remain  
9 8 available for expenditure for the purpose designated until the  
9 9 close of the succeeding fiscal year.

9 10 Sec. 8. EFFECTIVE DATE. The section of this Act amending  
9 11 2006 Iowa Acts, chapter 1181, being deemed of immediate  
9 12 importance, takes effect upon enactment.

9 13 EXPLANATION

9 14 This bill relates to and makes appropriations from the  
9 15 healthy Iowans tobacco trust to the following departments for

9 16 fiscal year 2007=2008:  
9 17 To the department of human services:  
9 18 1. To supplement the medical assistance appropriation  
9 19 including reimbursement for all noninstitutional providers  
9 20 with the exception of anesthesia and dental providers and for  
9 21 continuation of the resource-based relative value system; for  
9 22 reimbursement for dental services, hospitals, home health  
9 23 agencies, critical access hospitals, the expansion of home  
9 24 health care services and habilitative day care services, for  
9 25 children with special needs, and expansion of respite care  
9 26 services provided through home and community-based services  
9 27 waivers; and for provision of coverage to women who require  
9 28 treatment for breast or cervical cancer. A portion of the  
9 29 funds are to be used to continue the chronic care consortium.  
9 30 2. For child and family services including for  
9 31 reimbursement of adoption, independent living, shelter care,  
9 32 and home studies services providers, and other service  
9 33 providers under the purview of the department of human  
9 34 services.  
9 35 3. For supplementation of the state supplementary  
10 1 assistance program.  
10 2 4. For general administration of health-related programs.  
10 3 To the Iowa department of public health:  
10 4 1. For the tobacco use prevention and control initiative  
10 5 and for additional substance abuse treatment.  
10 6 2. For development of a healthy Iowans 2010 plan for the  
10 7 following purposes: for essential public health services that  
10 8 promote healthy aging throughout the lifespan, contracted  
10 9 through a formula by local boards of health, to enhance health  
10 10 promotion and disease prevention services; for the  
10 11 implementation and support of a coordinated system of delivery  
10 12 of trauma and emergency medical services; for the poison  
10 13 control center; for development of scientific and medical  
10 14 expertise in environmental epidemiology; and for the childhood  
10 15 lead poisoning prevention program.  
10 16 3. For the automated external defibrillator grant program.  
10 17 4. For the center for congenital and inherited disorders.  
10 18 5. For a grant program to provide substance abuse  
10 19 prevention programming for children with specific criteria.  
10 20 6. For a grant program for individuals with  
10 21 phenylketonuria (PKU).  
10 22 7. For leveraging of federal funds under the federal Ryan  
10 23 White Care Act.  
10 24 8. For a grant to provide education, programming, and  
10 25 support for people living with epilepsy and their families.  
10 26 To the department of corrections: for community-based  
10 27 corrections, day programming, the drug court program, and for  
10 28 the Fort Madison correctional facility for the clinical care  
10 29 unit.  
10 30 The bill appropriates funds for fiscal year 2007=2008 to  
10 31 the property tax relief fund for the fiscal year beginning  
10 32 July 1, 2007, and ending June 30, 2008, for assistance to  
10 33 counties with limited county mental health, mental  
10 34 retardation, and developmental disabilities services fund  
10 35 balances to pay reimbursement increases in the same amount as  
11 1 provided in the fiscal year beginning July 1, 2000, and ending  
11 2 June 30, 2001.  
11 3 The bill appropriates funds to the Iowa empowerment fund  
11 4 for the fiscal year beginning July 1, 2007, and ending June  
11 5 30, 2008, for deposit in the school ready children grants  
11 6 account.  
11 7 The bill appropriates funds to the department of economic  
11 8 development for fiscal year 2007=2008 for allocation to the  
11 9 Iowa commission on volunteer services for the Iowa's promise  
11 10 and mentoring partnership program.  
11 11 The bill appropriates funds to the department of education  
11 12 to continue the competitive grants program to expand the  
11 13 availability of before and after school programs.  
11 14 The bill provides for the transfer of additional funds from  
11 15 the endowment for Iowa's health account to the healthy Iowans  
11 16 tobacco trust for the fiscal year beginning July 1, 2007, and  
11 17 ending June 30, 2008.  
11 18 The bill provides for the nonreversion of the appropriation  
11 19 for fiscal year 2006=2007 for the automated external  
11 20 defibrillator grant program made in 2006 Iowa Acts, chapter  
11 21 1181. This provision takes effect upon enactment.  
11 22 LSB 1137YC 82  
11 23 pf:mg/gg/14.1